



MDHS

MISSISSIPPI DEPARTMENT OF HUMAN SERVICES

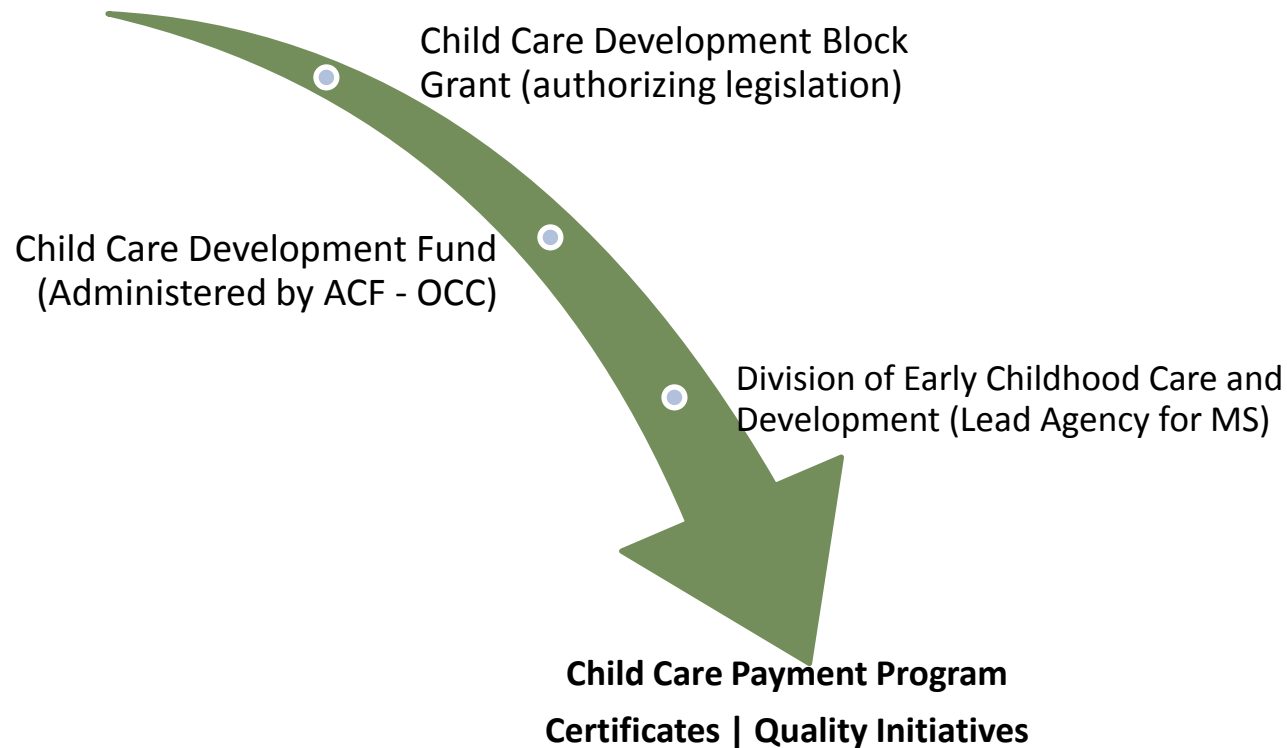
Division of Early Childhood Care and Development

CCDF State Plan Section 5: Establish Standards and Monitoring Processes to Ensure the Health and Safety of Child Care Settings

January 6, 2015



Overview





Purpose of Webinar Series

- Review the information that will be included in our 2016-2018 State Plan
 - Type of questions being asked
 - Efforts to comply with new regulations
- Solicit Feedback

DATE	TOPIC
Nov. 30, 2015	CCDF State Plan Overview and Section 1
Dec. 8, 2015	CCDF State Plan Section 2: Promote Family Engagement through Outreach and Consumer Education
Dec. 14, 2015	CCDF State Plan Section 3: Provide Stable Child Care Financial Assistance to Families
Dec. 16, 2015	CCDF State Plan Section 4: Ensure Equal Access to High Quality Child Care for Low Income Children
Jan. 6, 2016	CCDF State Plan Section 5: Establish Standards and Monitoring Process to Ensure the Health and Safety of Child Care Settings
Jan. 8, 2016	CCDF State Plan Section 6: Recruit and Retain a Qualified and Effective Child Care Workforce
Jan. 11, 2016	CCDF State Plan Section 7: Support Continuous Quality Improvement
Jan. 13, 2016	CCDF State Plan Section 8: Ensure Grantee Accountability



Previous Webinars

Here's what you missed

- Webinar 1 – CCDF Leadership
- Webinar 2 – Consumer Outreach and Education
- Webinar 3 – Provide Stable Child Care Financial Assistance to Families
- Webinar 4 – Ensure Equal Access to High Quality Child Care for Low Income Children

To view webinar slides, please visit

<http://www.mdhs.ms.gov/early-childhood-care-development/child-care-resources/ccdf-state-plan/>



Federal Guidance Preprint and NPRM

STATE PLAN PREPRINT

Final Version of the Preprint has been released.

<http://www.acf.hhs.gov/programs/occ/ccdf-reauthorization>

NOTICE OF PROPOSED RULEMAKING

- NPRM: <https://www.federalregister.gov/articles/2015/12/24/2015-31883/child-care-and-development-fund-ccdf-program>
- Federal Government's Specific Requests for Public Comments:
<http://www.acf.hhs.gov/programs/occ/resource/2015-ccdf-nprm-procedures-and-specific-requests-for-comment>

Key



= New CCDBG requirement which will mean a change in DECCD policy

CCDBG 658E (c)(2)

= policy citation and text from CCDBG 2014

98 §

= citation in NPRM



Section 5.1.1

Licensing Requirements & Standards

State certifies that it has licensing requirements applicable to all child care services provided within the State. This requirement did not change under Reauthorization.

- Categories of Licensed Care
 - Center-Based
 - Family Child Care Home (may voluntarily register with MSDH)
 - Group Home Child Care

Section 5.1.2

Licensing Exemptions

Does the State exempt any providers from licensing requirements?

☒ Yes, these include

- Temporary/respite care operating less than 2 days or less per week
- VBS or Scout Day Camps operating for 3 weeks or less per year
- Child residential homes as defined in Miss Code 43-16-3
- Any accredited pre-K3 or pre-K4 programs in accredited school systems
- Head Start Programs operating in conjunction with an elementary school
- Family child care homes as defined in Miss Code 43-20-53(a) et seq.
- National membership orgs that charge a nominal fee (Boys & Girls Clubs /YMCA)

Section 5.1.3

Child Ratios by Provider Type

Describe child care standards for subsidy providers that address appropriate ratios and group sizes for children in each type of setting.

☐ Fully implemented

☒ Not implemented. Must provide implementation plan.

- Need to establish ratios and group sizes for unlicensed care



CCDBG (658E(c)(2)(H)): (i) Standards- The plan shall describe child care standards for child care services for which assistance is made available in accordance with this subchapter, appropriate to the type of child care setting involved, to provide for the safety and developmental needs of the children served that address – (I) group size limits for specific age populations, as determined by the State; (II) the appropriate ratio between the number of children and the number of providers, in terms of the age of the children in child care, as determined by the state; and (III) required qualifications for such providers, as determined by the State. (ii) Construction – The Secretary may offer guidance to States on child-to-provider ratios described in clause (i) according to setting and age group, but shall not require that the State maintain specific group size limits for specific age populations or child-to-provider ratios for providers who receive assistance in accordance with subchapter.

Section 5.1.4

Child Ratios by Provider Type

a) Licensed Center-Based

1. Infant (< 1 yr); Ratio 5:1, Group 10
2. Toddler(12mo-<24mo); Ratio 9:1, Group 10
3. Preschool
 - 2 yr; Ratio 12:1, Group 14
 - 3 yr; Ratio 14:1, Group 14
 - 4 yr; Ratio 16:1, Group 20
4. School Age (5-12 yr)
 - 5-9 yr; Ratio 20:1, Group 20
 - 10-12 yr; Ratio 25:1, Group 25

b) Licensed Group Child Care Home

1. Infant (< 1 yr); Ratio 4:1
2. Toddler(12mo-<24mo); Ratio 8:1
3. Preschool
 - 2 yr; Ratio 12:1
 - 3 yr; Ratio 14:1
 - 4 yr; Ratio 16:1
4. School Age (5-12yr)
 - 5-9 yr; Ratio
 - 10-12 yr; Ratio

c) Licensed Family Child Care (This group would be voluntarily licensed because they would be exempt)

- Same as licensed group child care home

d) Other CCDF eligible providers (Unlicensed Family Child Care Home)

- Ratio: TBD
- Group size: TBD
- Threshold for licensing: 6 or more non-related children
- Related children in child-to-provider ratio: TBD
- Limits on I&T or school-age children that are allowed for part of the day: TBD

Section 5.1.5

Provider Qualifications

- a) Licensed Center-Based Care
 - Teacher: Any of the following: 1) HS Diploma/GED 2) current CDA credential or 3) three years documented experience
 - Assistant teacher: must be 16 years of age and shall work under the direct supervision of a teacher.
 - Director: Any of the following: 1) A bachelor's degree 2) An Associate's degree plus 480 hours practical training 3) An Associate's degree plus two years experience 4) Two years experience plus Director's Credential
- b) Licensed Group Child Care Home (if applicable)
 - Same as above
- c) Licensed Family Child Care Home
 - Same as above
- d) Other CCDF eligible providers
 - Not defined

Section 5.1.6

Health and Safety Training



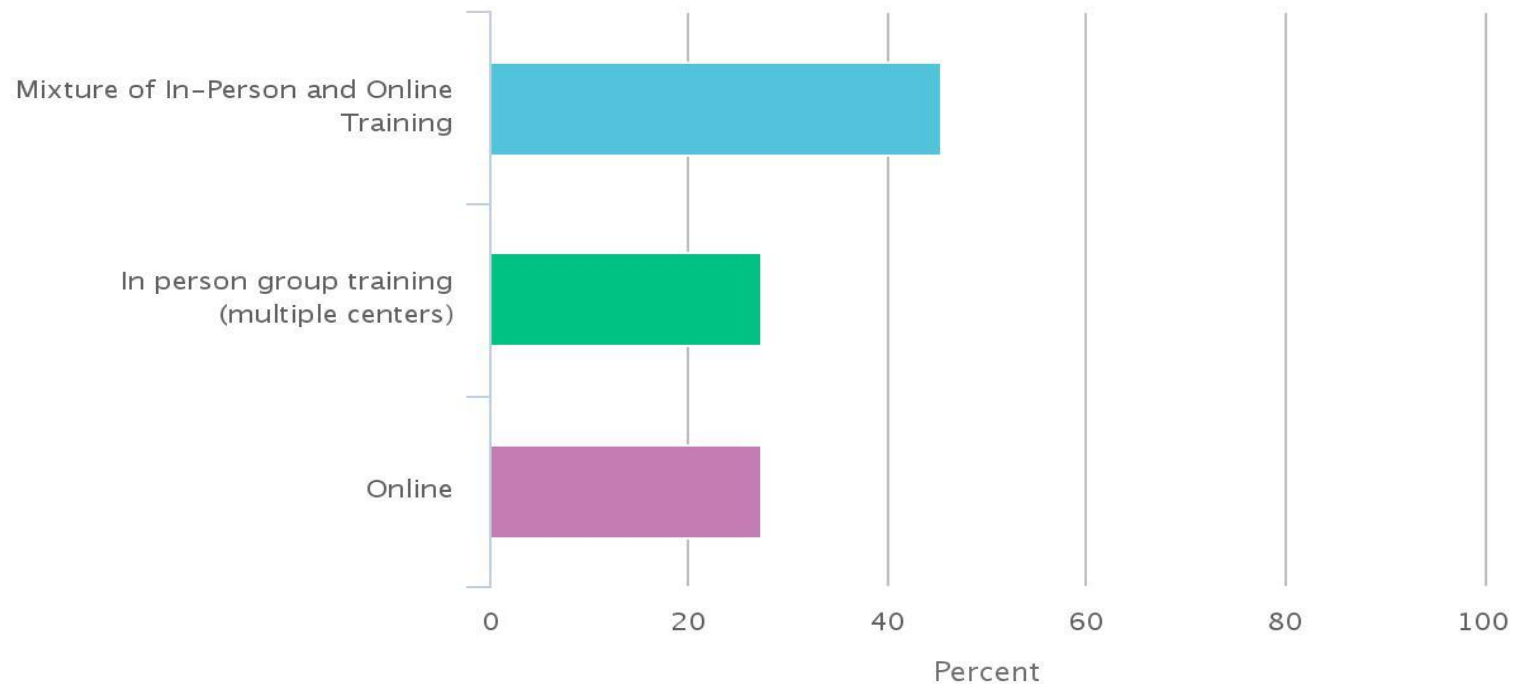
a) State certifies that it has health and safety requirements as well as pre-service or orientation training requirements in the following areas

- i. Prevention and control of infectious disease (immunizations)
- ii. Prevention of SIDS / safe sleep
- iii. Administration of medication
- iv. Prevention/response to allergic reactions
- v. Building and premises safety
- vi. Prevention of shaken baby syndrome / abusive head trauma
- vii. Emergency preparedness and response
- viii. Handling/storage of hazardous materials
- ix. Transportation of children (if applicable)
- x. First Aid and CPR certification

658E(c)(2)(I)(i)(I): The plan shall include a certification that there are in effect within the State, under State or local law, requirements designed to protect the health and safety of children that are applicable to child care providers that provide services for which assistance is made available under this subchapter. Such requirements shall relate to matters including health and safety topics consisting...(XI) minimum health and safety training to be completed pre-service or during an orientation period in addition to ongoing training, appropriate to the provider setting involved that addresses each of the requirements relating to matters described in subclauses (I) through (X).

- ☐ Yes, the state is in compliance
- ☒ No, the state must provide an implementation plan

(PROVIDERS ONLY) What is your preferred format for training?



Section 5.1.6 (CONTINUED)

Health and Safety Training

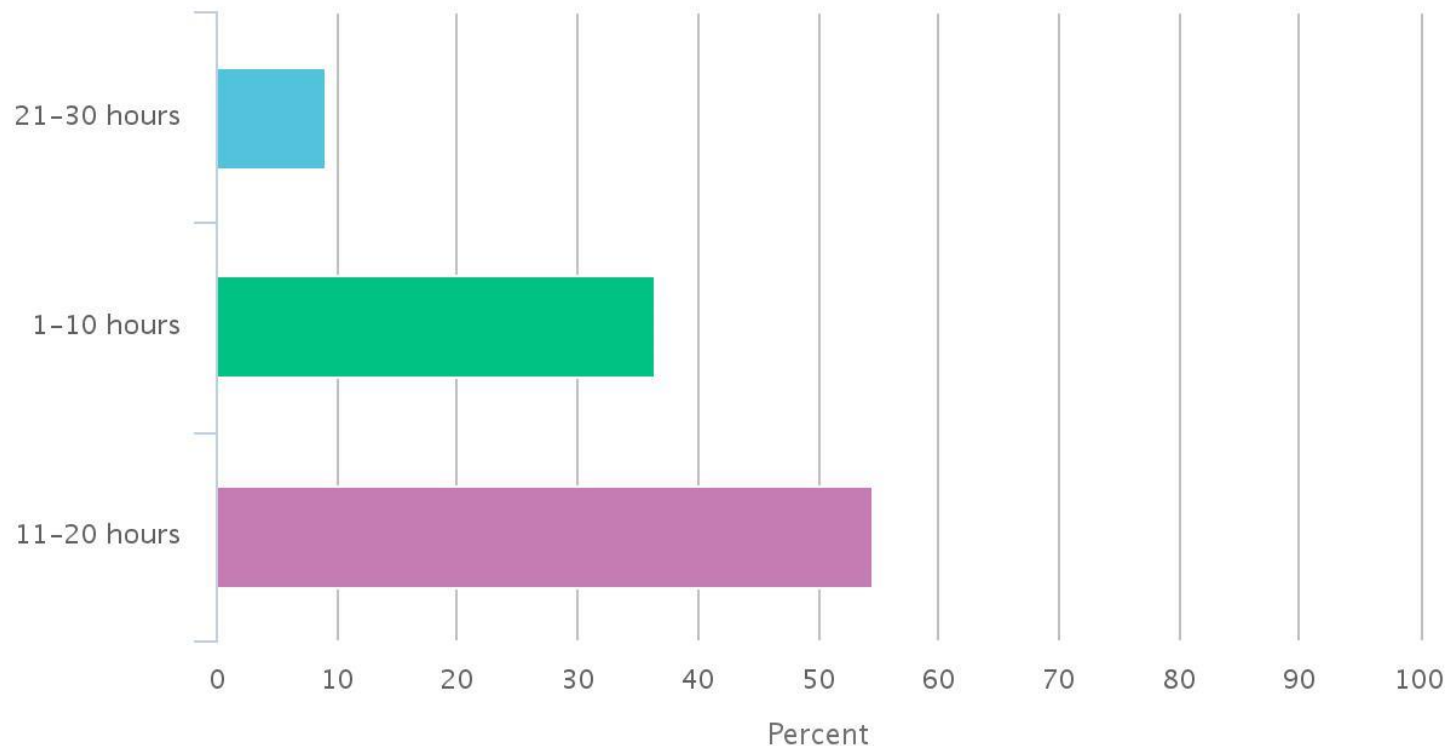


b) State certifies that it has pre-service/orientation as well as on-going training requirements appropriate to the provider setting

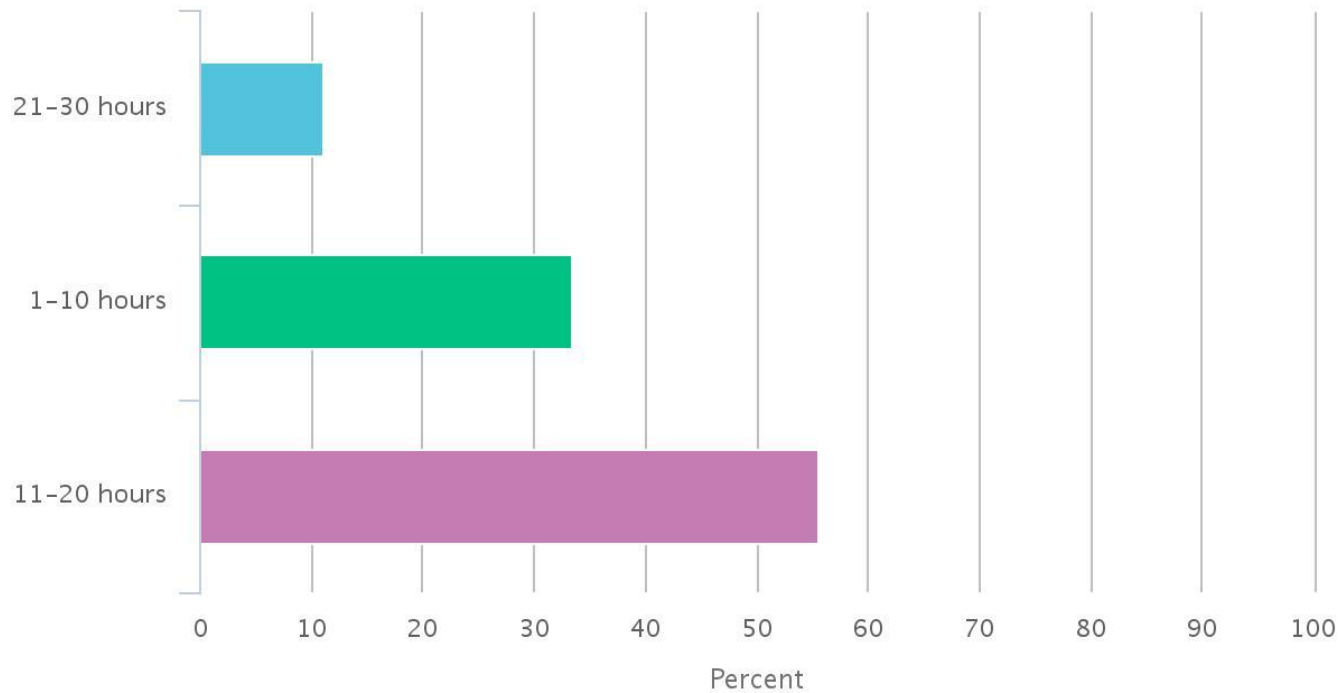
- ☐ Yes, the state is in compliance
- ☒ No, must provide an implementation plan
 - State definition of “pre-service” and “orientation”
 - Minimum number of hours required for pre-service/orientation
 - Ongoing training hours required

658E(c)(2)(G): (i) In General- The plan shall describe the training and professional development requirements that are in effect within the State designed to enable child care providers to promote the social, emotional, physical, and cognitive development of children and to improve the knowledge and skills of the child care workforce. Such requirements shall be applicable to child care providers that provide services for which assistance is provided in accordance with this subchapter. (ii) Requirements- The plan shall provide an assurance that such training and professional development- (I) shall be conducted on an on-going basis...(iii) The plan shall include the number of hours of training required for eligible providers and caregivers to engage in annually, as determined by the State.

How many hours of professional development should
LICENSED providers be required to accrue annually?



How many hours of professional development should
UNLICENSED providers be required to accrue annually?



Recommendations from Caring for Our Children Basics

Pre-Service Training and Orientation

CFOC 1.4.1.1/1.4.2.3

- Before or During First 3 Months of Employment
- 30 Documented Hours

Continuing Education

CFOC 1.4.4.1/1.4.4.2

- 30 hours First year of Employment including
 - 16 hours child development programming
 - 14 hours health and safety
- 24 hours during the second year and beyond including
 - 16 hours child development programming
 - 8 hours health and safety

Section 5.1.7

Optional areas

- ☐ Nutrition
- ☐ Physical activity
- ☐ Screen time
- ☐ Caring for children with special needs
- ☒ Recognition and reporting of child abuse and neglect
- ☐ Other subject areas

NPRM § 98.44(b)(1): Accessible pre-service or orientation training in health and safety standards, addressing each of the requirements relating to matters described in § 98.41(a)(1)(i) through (xi)

NPRM § 98.41(a)(1)(xi): Recognition and Reporting of child abuse and neglect, in accordance with the requirement paragraph (e) of this section



Section 5.1.8

Option to Exempt Relatives from Training

- ☐ Yes, all relatives are exempt
- ☐ Yes, some relatives are exempt
- ☒ No, relatives are not exempt from CCDF health and safety training requirements

Section 5.2.1

Monitoring and Enforcement

State certifies that it has policies/practices to ensure providers comply with licensing and health & safety requirements.

- ☐ Yes, the state is in compliance
- ☒ No, the state has an implementation plan




- Must update policy to include 10 health and safety topics (*see section 5.1.6*)
- Not currently monitoring license exempt care to ensure compliance

CCDBG (658E(c)(2)(J)): Compliance with State and Local Health and Safety Requirements
– The plan shall include a certification that procedures are in effect to ensure that child care providers within the state, that [provide services for which assistance is made available in accordance with this subchapter, comply with all applicable State or local health and safety requirements as described in subparagraph (I).

Section 5.2.2

Licensing Enforcement

- a) Licensing Inspectors are qualified and trained
 - ☒ Yes, the state is in compliance
- b) Inspections for Licensed CCDF Providers
 - ☒ Yes, the state is in compliance
-  c) Inspections for License-Exempt CCDF Providers
 - ☒ No, the state has an implementation plan
- d) Ratio of Licensing Inspectors
 - ☒ Yes, the state is in compliance
- e) Child Abuse and Neglect reporting
 - ☒ Yes, the state is in compliance



Section 5.2.3

Option to Exempt Relatives from inspection

- ☐ Yes, all relatives are exempt
- ☐ Yes, some relatives are exempt
- ☒ No, relatives are not exempt from CCDF health and safety training requirements

Section 5.3.1

Criminal Background Checks



All providers receiving subsidy must conduct comprehensive criminal background checks on all staff and prospective employees. This requirement extends to unlicensed providers and any household member (over age 18) in the unlicensed provider's home.

Deadline for Compliance: Sept 30, 2017

- ☐ Yes, the state is in compliance
- ☒ Not Implemented. Must provide implementation plan.

NPRM § 98.43

CCDBG 658H : (a) in General-A State that receives funds to carry out this subchapter shall have in effect (1) requirements, policies, and procedures to require and conduct criminal background checks for child care staff members (including prospective child care staff members) of child care providers described in subsection (c)(1); and ((2) licensing, regulation, and registration requirements, as applicable, that prohibit the employment of child care staff members as described in subsection (c).

658H : (i) Definitions – In this Section- (1) The term ‘child care provider’ means a center- based child care provider or a family child care provider, or another provider of child care services for compensation and on a regular basis that (A) is not an individual who is related to all children for whom child care services are provided; and (B) is licensed, regulated, or registered under State law or receives assistance provided under this subchapter; and (2) the term ‘child care staff member’ means an individual (other than an individual who is related to all children for whom child care services are provided)- (A) who is employed by a child care provider for compensation; or (B) whose activities involve the care or supervision of children for a child care provider or unsupervised access to children who are cared for or supervised by a child care provider.

Section 5.3.2

Background Checks

Describe processes and procedures for conducting background checks

- Which agency is responsible: MSDH Criminal History Record Check Unit
- Conducted in a timely Manner : (feds have a benchmark of 45 days)
- Protecting the privacy of child care staff: info regarding the nature of the disqualifying event shared only with prospective employee
- Opportunities to appeal results: Individuals with a disqualifying event are given instructions on how to challenge the accuracy of the information.



Section 5.3.3

Out of State Background Checks

Describe how the state is assisting other States in processing background checks

- Agency responsible for responding to requests from other states: MSDH Criminal History Record Check Unit

Section 5.3.4

Felony Drug Review

Does the State have a review process for individuals disqualified due to a felony drug offense to determine if the individual is still eligible for employment?

- ☐ Yes
- ☒ No

CCDBG 658H (e)(4): Review- The State may allow for a review process through which the State may determine that a child care staff member (including a prospective child care staff member) disqualified for a crime specified in subsection (c)(1)(D)(ix) is eligible for employment described in subsection (c)(1), notwithstanding subsection (c). The review process shall be consistent with title VII of the Civil Rights Act of 1964.

Section 5.3.5

Disqualifying Offenses

Does the State/Territory disqualify child care staff based on their conviction for OTHER CRIMES not specifically listed in 5.3?

- ☐ Yes
☒ No

DECCD will align disqualification offenses with federal law

- Sex offense
- Murder
- Child abuse or neglect
- Crimes against children
- Spousal abuse
- Rape or sexual assault
- Kidnapping
- Arson
- Physical assault or battery
- drug-related offense in the last 5 years
- Violent misdemeanor committed as an adult against a child

CCDBG 658H (c)

NPRM § 98.43(c)



Section 5.3.6

Option to Exempt Relatives

- ☐ Yes, all relatives are exempt
- ☐ Yes, some relatives are exempt
- ☒ No, relatives will not be exempt from background checks

Section 5.3.7

Background Check Fees

- Fees cannot exceed actual cost of processing/administration
 - *Miss Code Ann 43-20-8 (8) All fees incurred in compliance with is section shall be born by the child care facility. The licensing agency is authorized to charge a fee that includes the amount required by the FBI for the national criminal history record check in compliance with the Child Protection Act of 1993, as amended, and any necessary costs incurred by the licensing agency for the handling and administration of the criminal history background checks.*
- Cost of background check in MS: **\$50.00**



Section 5.3.8

Consumer Education

Describe how background check policies and procedures are published

- This information will be available on the consumer education website.



Section 5.3.9

Aggregate Data by Crime

Does the Lead Agency release aggregated data by crime?

- ☐ Yes
- ☒ No



Public Hearings

Date	Time	Location
2/2/2016	1-2:30 pm	MGCC Jeff Davis Campus, Building #4, 2226 Switzer Road, Gulfport
2/3/2016	1:30-3 p.m.	Mississippi Valley State, small auditorium, Room 108
2/4/2016	8-11:00 a.m.	Oktibbeha Extension, 106 Felix Long Drive, Starkville
2/4/2016	5:30-7 p.m.	Lafayette County/Oxford Library, Auditorium, 401 Bramlett Blvd., Oxford
2/5/2016	1:30-3:00 p.m.	Central Mississippi Research & Extension Center, 1320 7 Springs Rd., Raymond

AT ANY TIME YOU CAN SUBMIT A PUBLIC COMMENT:

<https://app.smartsheet.com/b/form?EQBCT=81f6199cf990413bb131f164f8f2adc0>

QUESTIONS&COMMENTS

Public Comment specific to the State Plan:
<https://app.smartsheet.com/b/form?EQBCT=81f6199cf990413bb131f164f8f2adc0>



CONTACT INFO

Marianna Chauvin

Policy Director, DECCD

601-359-4551

marianna.chauvin@mdhs.ms.gov